

## **Board of Pharmacy**

### **Initial Statement of Reasons**

Subject Matter of Proposed Regulation:        Preprinted, Multiple Checkoff Prescription Blanks

Section Affected:        Section 1717.3

#### Problem Addressed

The Pharmacy Act (Business and Professions Code sections 4000 et seq.) authorizes the Board of Pharmacy to establish and implement rules and regulations regarding the practice of pharmacy as may be necessary for the protection of the public.

Current section 1717.3 was written to allow prescribers to use preprinted checkoff prescription blanks which can serve to facilitate the filling of a prescription by a pharmacist. Using preprinted blanks has been proven to eliminate confusion as well as potential medication errors. However, the regulation was written to assure that patients would not mark additional prescription drugs prior to submitting the prescription document to the pharmacy. For that reason only one drug per blank was specified in the regulation.

Prescribers are finding that using one blank per medication prescribed is burdensome and costly – in terms of the prescriber's time to fill in each one when a patient requires more than one prescription drug. With increasing frequency prescriptions are being transmitted via fax to the pharmacy, thus eliminating the potential for patient fraud (checking additional boxes).

The result is that prescribers who have an array of frequently prescribed medications preprinted on their blanks, to facilitate practice and maximize their patient care time, are forced to operate inefficiently due to the one-per-blank requirement. This action contradicts the board's commitment to facilitating and assuring good patient care.

#### Specific Purpose of the Regulation

The purpose of this proposal is to facilitate the use of preprinted, multiple checkoff prescription blanks by prescribers. Currently, in order to be compliant with Pharmacy Law, a prescriber must use one completed blank for each drug he or she is prescribing for a patient regardless of whether most or all of the drugs being prescribed are preprinted on the form.

The board's proposal would amend subsection 1717.3(b) to allow a pharmacist to dispense more than one dangerous drug pursuant to a preprinted, multiple checkoff prescription provided the prescriber has indicated on the form the total number of drugs he or she has selected.

#### Factual Basis

Section 4005 of the B&P Code authorizes the board to amend rules and regulations pertaining to the practice of pharmacy.

Section 4040 of the B&P Code defines the term “prescription” and specifies the information that is required for a prescription to be considered valid.

H&S Code section 11164 specifies the criteria that must be met in order for a prescription for a controlled substance listed on Schedules II through V to be considered valid for filling, compounding or dispensing by a pharmacist.

The proposed regulatory adoption is driven by the board's desire to facilitate the process of prescribing and dispensing dangerous drugs to patients.

#### Underlying Data

None

#### Business Impact

This regulation would not have significant adverse economic impact on businesses.

This action would allow pharmacists to dispense more than one drug when a prescriber has used a preprinted multiple checkoff prescription blank to prescribe more than one drug from among those appearing on the form so long as the prescriber has indicated on the form the total number of drugs being selected. The board’s proposal would facilitate prescription writing for many prescribers in California.

#### Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

#### Consideration of Alternatives

No alternative which was considered either would be more effective than or equally as effective and less burdensome to affected private persons than the proposed regulation.

(8/15/00)